

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN RE: LARRY LEWIS, DEBTOR

CASE NO. 15-10393

MOTION FOR CONTEMPT
FOR WILLFUL VIOLATION OF ORDER

COMES NOW the debtor, by and through counsel, and files this Motion for Contempt for Willful Violations of Order against BSI Financial Services and would show unto the Court the following:

1. Debtor filed for relief under Chapter 13 of the Bankruptcy Code on February 4, 2015, and was discharged on May 14, 2020.
2. The Creditor was listed as a secured creditor on Debtor's Schedule D, and on the Creditor Matrix.
3. BSI Financial Service was aware of the bankruptcy and filed a proof of claim in the bankruptcy case.
4. The Trustee filed a Notice of Final Cure Payment on March 9, 2020, and the filed a Motion for Determination of Defaults Cured and Required Post-Petition Amounts paid through February of 2020 on April 1, 2020.
5. BSI Financial filed a Response to the Notice of Final Cure Payment and agreed that Debtor's account was current through February 2020.
6. The Court entered an order on April 29, 2021 granting the Trustee's Motion for Determination of Defaults Cured and Required Post-Petition Amounts Paid.
7. Debtor has made all required payments for March 2020 through the present, however, BSI Financial continues to reflect on Debtor's monthly statements that

he is three months delinquent, and continues to charge him additional fees for said delinquency.

8. Further, Debtor received an escrow statement in April of 2021 reflecting that he had an escrow surplus of \$2,883.83. Debtor has still not received payment or any further accounting of said surplus.
9. Debtor's credit report also reflects inaccurate information regarding his loan with BSI Financial Services.
10. Debtor has given BSI Financial Services numerous opportunities to correct the problems prior to filing this Motion, but has not been able to get the situation corrected.
11. Creditors actions are willful and deliberate and in clear violation of this Court's order directing that Debtor's payments be brought current through February of 2020.

WHEREFORE, PREMISES CONSIDERED, the Debtor requests that this Court find BSI Financial has willfully failed to comply with this Court's order and other applicable bankruptcy laws, the Court should find BSI Financial in contempt and should award sanctions including punitive damages and legal fees to him for bringing this matter before the Court.

RESPECTFULLY SUBMITTED this the 24th day of September, 2021.

/s/ A.E. (Rusty) Harlow, Jr.
Harlow Law Firm
A.E. (Rusty) Harlow, Jr.
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CERTIFICATE OF SERVICE

I, A.E. (Rusty) Harlow, Jr., certify that I have this day mailed via regular mail a true and correct copy of the Motion to the following:

Christopher K Baxter
14643 Dallas Parkway
Dallas, TX 75254

Scot P. Goldsholl
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BSI Financial Services
c/o InCorp Services, Inc.
302 Enterprise Dr. STE A
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Office of the United States Trustee
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Chapter 13 Trustee
Locke D. Barkley
sbeasley@barkley13.com

This the 24th day of September, 2021.

/s/ A.E. (Rusty) Harlow, Jr.
A.E. (Rusty) Harlow, Jr.